

**Otley Town Council**

**Policy & Resources Committee**

**Date: Monday 14<sup>th</sup> September 2015**

**Subject: Policy for Recording of Council Meetings**

**Report By: Executive Officer**

**1. Purpose of Report**

**1.1** To advise Members of the proposed policy on the recording of Council meetings.

**2. Background**

**2.1** The Openness of Local Government Bodies Regulations 2014 (2014 SI No. 2095), which came into force on 6 August 2014, require parish and town councils to allow any person to film, audio-record or take photographs of, and to report on, the proceedings of any part of a meeting which the public are entitled to attend by law.

**2.2** The Regulations do not require town councils to allow filming and recording of any part of a meeting where the public are excluded by reason of the confidential nature of the business or where publicity would be prejudicial to the public interest. Exclusion of the public must be authorized by a resolution of the meeting and the reason for exclusion must be stated.

**2.3** The Regulations apply only to formal, decision-making meetings of the Council, a committee or a sub-committee and not to informal meetings or meetings of a working party without decision-making powers.

**2.4** The Department for Communities and Local Government has published a 'plain English' guide to the Regulations and the policy at Appendix 1 is based on this guide.

**3. Legal and Financial Implications**

**3.1** There are no legal implications arising from this report

**3.2** There are no financial implications arising from this report.

**4. Sustainability**

**4.1** The report is compliant with Aalborg.

## **5. Recommendations**

**5.1** It is recommended that the Policy & Resources Committee adopt the attached Policy for Recording of Council meetings.

# Otley Town Council



## Recording of Council Meetings

Date Approved:

Revision Date:

## **OTLEY TOWN COUNCIL RECORDING OF MEETINGS POLICY**

### **1.0 Introduction**

1.1 The right to record, film and to broadcast meetings of the council, its committees, sub committees and any joint committees is established under the Openness of Local Government Regulations 2014. This is in addition to the rights of the press and public to attend such meetings.

1.2 Otley Town Council is committed to being open and transparent in the way it conducts its decision making. For the purpose of this policy the term “record” means any form of audio, visual or electronic recording. Such recording is permitted under the lawful direction of the council.

1.3 The council understands that some members of the public attending its meetings may not wish to be recorded and the Chairman of the meeting will facilitate this by ensuring that any such request will be respected by those making a recording. Any member of the public who does not wish to be recorded should make this known to the Executive Officer or the Chairman prior to the commencement of the meeting.

### **2.0 Protocol**

- The council will display requirements as to filming, recording and broadcasting at its meeting venues and on its website and those undertaking these activities will be deemed to have accepted them whether they have read them or not.
- The council insists that all visual recording will be undertaken from a static point to avoid disruption at the meeting.
- A person or persons recording the council meeting are reminded that the “Public Participation” period may not be part of the formal meeting and that they should take legal advice for themselves as to their rights to make any recording during that period.
- Where the press and public are excluded from a meeting or part of a meeting owing to the confidential nature of the business to be transacted, recording of that meeting or that part of the meeting will not be permitted.
- Any children or young people under the age of 18 who are present at the meeting are not to be filmed unless their parents/guardians have given their written consent. This provision also applies to vulnerable adults, whereby the consent of a responsible adult is required for recording, i.e. a medical professional, carer or legal guardian.
- All recording must be overt (i.e. clearly visible to anyone at the meeting).
- Members of the public are permitted to film or record meetings to which they are permitted access in a non-disruptive manner. The use of digital and social media recording tools, for example Twitter, blogging or audio recording are allowed as long as this type of recording is carried out in a non-disruptive way and only to the extent that it does not interfere with any person’s ability, even where he or she has a disability, to follow the debate.
- A person or persons making a recording has no right to interrupt a council meeting by asking questions or making comments. The person recording has no right to ask councillors, officers or any members of the public who have been given permission to contribute orally to the meeting to repeat a statement for the purposes of the recording.

- The Chairman of the meeting has absolute discretion to stop or suspend recording if, in his/her opinion, continuing to do so would prejudice proceedings at the meeting or if the person recording is in breach of these rules.
- The recording and reporting on meetings of the council, its committees and sub-committees is subject to the law and it is the responsibility of those doing the recording and reporting to ensure compliance. This will include the Human Rights Act, the Data Protection Act and the laws of libel and defamation. The recording should not be edited in a way that could lead to misinterpretation or misrepresentation of the proceedings or infringement of the council's values or in a way that ridicules or shows a lack of respect for those in the recording. The council would expect any recording in breach of these rules to be removed from public view. The council will have no liability for material published by any other person unless it is itself undertaking the publication through its offices.
- The council is not liable for the actions of any person making a recording at a council meeting which identifies a member of the public or for any publication of that recording.
- The minutes of a council meeting remain the statutory and legally binding formal record of council decisions.